

REMARKS

Claims 1-11 are currently pending in this Application. Claim 1 is amended with this response.

Translation from International Search Report

Applicant respectfully acknowledges the Examiner's request for translation, and will submit said translation under separate cover.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Motzer, U.S. Patent No. 6,301,512 (hereinafter "Motzer"). Applicant respectfully traverses the rejections.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Applicant's amended claim 1 recites *inter alia*,

"selecting at least one determined test instrument from a group of test instruments *for each of the test regions requiring different suitable test instruments and associating each* with a respective one of the test regions, with all relevant properties of the test instrument being stored in the data store."

Motzer does not teach selecting at least one determined test instrument from a group of test instruments *for each of the test regions that require different suitable test instruments and associating each* with a respective one of the test regions. Instead Motzer teaches an ultrasonic analysis tool that allows a user to examine portions of ultrasonic test data in more specific detail via selection of the data in any of the display formats (see column 3, lines 26-32). The ultrasonic analysis tool of Motzer is not taught to be used in a non-destructive inspection of a test object that has different test regions, wherein at least some of these regions require different test instruments. Thus, since Applicant's amended claim 1 recites selection of at least one determined test instrument from a group of test instruments for each of the test regions that require different suitable test instruments, as well associating each instrument with a respective one of the test regions, Motzer does not teach every element of applicant's claim 1.

Since Motzer fails to teach or suggest all of the limitations of claim 1, clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify Motzer, or a reasonable likelihood of success in forming the claimed invention by modifying Motzer. For at least these reasons, Applicant respectfully submits that *prima facie* obviousness does not exist for claim 1, or claims 2-11 that depend therefrom.

Conclusion

All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

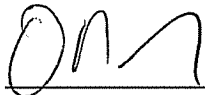
The Examiner is invited to contact Applicant's attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicant hereby petitions for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

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